

OGC REVIEW COMPLETED

22 March 1956

MEMORANDUM FOR: Mr. Lawrence Houston
General Counsel

FROM : Mr. Walter Pforzheimer
SA/DDI

The following is quoted from the Bookseller, the organ of the British book trade, for Saturday, March 3, 1956. Evidently the British are revising their basic copyright law of 1911 to bring it in line with the International Copyright Convention, of which the United States is also a signatory.

"Schools' Use of Copyright Works

Assuring members of the House of Lords that adequate provision was being made in the new Copyright Act for day-to-day work in schools, the Lord Chancellor pointed out that there was the other side of the question. 'I must tell your Lordships that the Publishers Association are already somewhat concerned at the growing tendency of some education authorities to copy copyright work for scholastic purposes.'

The Government had tried to keep the balance in this matter. A new clause provided that copyright in a work was not infringed if the work were reproduced (a) in the course of instruction, whether at a school or elsewhere, where the reproduction or adaptation is made by a teacher or pupil otherwise than by the use of a duplicating process; or (b) as part of the questions to be answered in an examination, or in an answer to such a question. The Lord Chancellor drew particular attention

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to the words 'otherwise than by use of a duplicating process,' defined in the Bill as 'any process involving the use of an appliance for producing multiple copies.' If these words had not been included, he said, 'an exemption in such wide terms would inevitably be at the expense of authors, composers and artists. It could well develop into a serious inroad on their rights, particularly as the clause is drawn to cover all courses of instruction.' He added that, without such a provision, it would be difficult to see how a challenge that the country was failing to comply with its Convention responsibilities could honestly be met."

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